

O. M. Morehead, Esq.

Western Carolinian.

It is even wise to abstain from laws, which however wise, and good in themselves, have the semblance of inequality which find no response in the heart of the citizen, and which will be erased with little remorse.

The wisdom of legislation is especially seen in grafting laws on conscience.

Dr. Channing.

1 BURTON CRAIGE.]

TERMS.

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MISCELLANEOUS.

From the *Banner of the Constitution*.

The memorial of the New York Tariff Convention.—In this Journal, of the 7th of December last, we published the address of the Tariff Convention held in New York on the 25th October, 1831. The memorial presented to Congress during its last session, on the part of the same Convention, has been republished and circulated with the July Number of the North American Review, occupying 48 pages. It is signed by Alexander Everett, Esq., and is written with ability, with excellent temper, and with great frankness; and, we would say, sets forth the fancied blessings of the Restrictive System in as strong a point of view as they are susceptible of, and supports them with as powerful arguments as it is possible to deduce. But it is, nevertheless, replete with erroneous assumptions with false conclusions, and with absurd doctrines, as will be apparent to any political economist who may pursue it; but, those being put forth, as we certainly think, with a sincere and honest belief in their correctness and orthodoxy, they are entitled to be examined with candor and courtesy. Our limits will not allow us to enter into a minute exposition of all the points in which we differ from the writer; and we shall, therefore, confine ourselves to some of the most prominent amongst them.

And first, it is observable, that, to one capital error of doctrines may be ascribed almost the whole departure from the principles of economical science, which is displayed throughout the Memorial. It reminds one of steam poisoned at its source, from which proceed all the deleterious effects that are experienced throughout the region over which it passes. Were this doctrine allowed to be, that there exists a great mass of dormant capital and labor, which, without the stimulus of a Protective Tariff, would remain totally idle and unproductive; and that, consequently, all the products which are created by that stimulus are so much clear gain to the country, in addition to all that it could possibly gain under a system of Free Trade; if this proposition were true, there could not then be any doubt of the beneficial operation of restrictive laws, and nothing would be clearer, than that, the lighter the restriction, and the greater the extent of the articles to which it was applied, the greater the benefit.

The doctrine alluded to, is that there exists a great mass of dormant capital and labor, which, without the stimulus of a Protective Tariff, would remain totally idle and unproductive; and that, consequently, all the products which are created by that stimulus are so much clear gain to the country, in addition to all that it could possibly gain under a system of Free Trade. If this proposition were true, there could not then be any doubt of the beneficial operation of restrictive laws, and nothing would be clearer, than that, the lighter the restriction, and the greater the extent of the articles to which it was applied, the greater the benefit.

We hardly know how to go to work to improve such a proposition, the fallacy of which appears to us to be as self evident as its soundness appears to be to the committee. But, let us ask, what evidence does there exist, that had the Restrictive System not been introduced into this country, there would have been any dormant capital?

Does any body really believe that the time when any Bank or capitalist who had money to lend, could not find borrowers to the full amount of their capitals, at six per centum?

If so, it could only have been in large cities, where the influence of foreign capital is felt, in the competition of the market.

In the country, and especially in the western country, such a thing as an unemployed capital was never at any time heard of; and it is very certain, that, at no period have the western People found it necessary to solicit Congress for aid to enable them to get the ordinary profits of capital.

And in reference to labor, who recollects

the period when any considerable number of people could not obtain employment, if they were industrious and willing to labor at moderate wages?

In few of our Atlantic cities, into which there is a constant emigration of poor foreigners, and of blacks emancipated in other States, who interfere, at times, with the resident laborers, by overlooking the labor market, there has been, at times, a temporary want of employment.—Reactions from over trading, or overhanging, also, in large cities, occasionally disturb the regularity of employment. But, only leave these great stores upon the body politic, large cities, and go into the interior, where a healthy and well balanced state of anxiety exists,

and nothing is, or ever has been, there heard of a want of employment. Upon this subject, we speak with some knowledge of the fact. We have twice visited the State of Ohio and we have never met with a man who has ever entertained any other opinion than that the demand for labor, in the vast regions of the West, is, and always has been, almost unlimited. No one will certainly venture to assert that the difficulty of procuring employment, in the Western country, induced inhabitants to apply to Congress for restrictive laws.

Supposing, however, these positions to be disputed, there is, at all events, one general principle, which must be acknowledged to be sound and indisputable by every one who closely examines it. It is, that there can be no such thing as dormant capital. Capital, according to the proportion which exists between the supply and the demand, may be dear or cheap, high or low, but it cannot be dormant. It may be worth ten per centum, eight per centum, six, five, four, or three per centum, but in no country has it ever yet been without demand. If the capital actually existing in this country were to be doubled by a sudden display of magic, the effect could not be to make any portion of it dormant. The consequence might be that its value would be diminished—that is, that the rate of interest demanded for its use might be lowered to one half its present rate—but it never could be, by any conceivable process, increased to such an abundance that any portion of it should lie dormant—that is, be without borrowers at any price. It is not possible to imagine such an extent of capital as that the hire of it should be worth nothing; and those who think otherwise do so because they think it possible that A's capital can lie dormant whilst B's capital is employed at ten per cent.: whereas the truth is, that the competition of the two lenders must have the effect of settling the rate of interest at five per centum, or some other intermediate point. Nothing is clearer than that there cannot be two rates of interest upon the same security, at the same place, at the same time. B cannot get ten per centum for his capital, whilst A can get nothing; and it may be safely concluded, when we hear of a man who says he cannot employ his capital, that he means to say that he is not willing to lend it at the market rate—that is, at the rate which a fair open competition between borrowers and lenders would establish.

Having thus shown, as we think, that there cannot be any such thing as a dormant capital, it follows, of necessary consequence, that no legislative restriction can operate as a stimulus upon capital. It reminds one of steam poisoned at its source, from which proceed all the deleterious effects that are experienced throughout the region over which it passes. Were this doctrine true, we admit, at once, that all the conclusions drawn from it would also be true; and hence we consider it of paramount importance that its unsoundness should be clearly exposed.

The doctrine alluded to, is that there exists a great mass of dormant capital and labor, which, without the stimulus of a Protective Tariff, would remain totally idle and unproductive; and that, consequently, all the products which are created by that stimulus are so much clear gain to the country, in addition to all that it could possibly gain under a system of Free Trade. If this proposition were true, there could not then be any doubt of the beneficial operation of restrictive laws, and nothing would be clearer, than that, the lighter the restriction, and the greater the extent of the articles to which it was applied, the greater the benefit.

Thus, prior to the year 1812, when duties were imposed solely with reference to revenue, the capital of the United States was at liberty to go into any pursuit, excepting those which had been necessarily closed by the revenue duty. In 1816, a Protective Tariff was imposed. The effect of this was to close some of the then existing avenues to enjoyment in commerce and agriculture. A further closing took place with the subsequent Tariffs of 1824 and 1828; and, by thus restricting the range of capital, its value in the market must necessarily have been diminished. Thus, if a dormant state can be predicted of capital, it must apply to its condition under a Restrictive, and not under a Free Trade System.

What is true in relation to capital, is equally true in relation to labor. The more numerous the employment to which the industry of a people can be directed, the more extensive must be the demand for labor. If agriculture, commerce, and manufactures, be all open to the competition of the labor market, the tendency to a dormant state of labor must be less than if some of these branches of business are closed. But labor can never be dormant, in this country, to any great extent, except temporally. If any large number of persons cannot, at any time, obtain employment in our large cities, it is because they are not willing to live in the country, where a boundless field is open for them, in the shape of a thousand millions of acres of vacant land.

When all this land becomes occupied, and not before, it will be time enough to talk of dormant labor.

If it becomes dormant before, it can only be

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cause people prefer sleeping to work; and those who have that propensity, have no claims to be supported upon the public bounty.

But it is evident that the Committee which drew up the Memorial in question are opposed to Western emigration. They have been so candid as to acknowledge this fact; and, by their candor, they have betrayed a secret originally let out by Mr. Rush, whilst Secretary of the Treasury, which is of vast consequence to be known. The following is their secret, which ought to be written in capitals and posted over the door of every tavern, mill, and blacksmith's shop, in the whole Western country:

"The last advantage which your memorialists propose to mention, as resulting from the establishment of domestic manufactures, is THEIR EFFECT IN RETAINING EMIGRATION FROM THE SETTLED TO THE UNSETTLED PARTS OF THIS COUNTRY. It is true, as a general principle, that manufacturers add to the wealth and population of a country the whole amount of the capital and labor to which they give employment; but, in the particular case of the United States, where large tracts of good unoccupied land are continually for sale at low prices, it is probable, as your memorialists have already remarked, that some of the persons, who, under the influence of the Protecting Policy, invest their capital and labor in manufactures, would, if this field of employment had not been opened to them at home, have emigrated to some of the unsettled parts of the country, and been occupied in clearing land."

When Mr. Rush's suggestion to this effect was first made, it was considered rather as the mere opinion of an individual, than that of a great party. It has now assumed a character which constitutes it a part integral of the American System; and we now feel warranted in pronouncing that the Tariff Party has avowed its hostility to the growth of the Western country. Yes, let the People of the West be told that there exists a grand combination of manufacturers and politicians, in the Eastern and Middle States, who openly avow their determination to discourage emigration to the Westward. And if, with such evidence before them, they are willing to throw their weight into the scale of a policy which is calculated to retard their wealth, population and political power, we hope they will meet with the fate now so unmercifully experienced by the Southern States, of being tributary to their oppressors.

In making this confession, however, the Committee, have afforded us a remarkable example of inconsistent reasoning. After denying that the effect of restrictive laws is to divert capital from one pursuit to another, they are compelled to confess that, in that instance, capital is drawn into manufactures, which would otherwise have gone into agriculture; and, in making this admission, we conceive, they have given up the contest. For, let any man, who has witnessed the progress of wealth in the Western country—who has seen the laborious husbandman looting himself in the woods, without any capital except a cow, a hog, and a spade—who has beheld his wife assisting him to build his log-cabin, and his child rocked to sleep in a sugar trough—and who, in ten years, has seen a comfortable farm of eighty acres of land paid for, comfortable buildings, luxuriant fields, and a stock of cattle and horses—let such a man, we say, compare the progress of this pioneer of the West with that of the drudge in a factory, and say whether capital and labor, forced from agriculture to manufactures, have not been forced from a more profitable to a less profitable pursuit. Upon this subject there cannot admit of a doubt; and, when we add to this truth the important consideration that, in one case, we see arise a nation of independent freemen, each one of whom possesses within his reach, the means of raising a family of children as free as himself; and, in the other, a nation of slaves, dependent, for their daily bread, upon the will of a master, we are at a loss to conceive how any man, possessing the true spirit of liberty, can hesitate which of the two to choose. For ourselves, we venerate the character of our hardy yeomanry of the West; and, though they may not have been the most submissive department which characterizes those who are subject to the daily discipline of a factory, yet they have about them the manly air of freedom, and show that they are in the enjoyment of the very identical blessing for which this Government was instituted.

From the *Greenville (S. C.) Mountaineer*.

HORRID ATTEMPT AT MURDER.

The circumstances are briefly these. William Fields, a ditcher by occupation, married Mary Parkinson, of this district; and after living unhappily together for some time, they separated—she retaining and refusing to give him a part of his wearing apparel, with other articles which he demanded; and which the more effectually to secure from him, she determined to have carried off and secreted. For this purpose her sister, Sarah Parkinson, a woman of ill fame in her own neighborhood, applied to Jerry, a slave sustaining a high character for honesty, and belonging to one of our most aged and respectable citizens.

And in reference to labor, who recollects the period when any considerable number of people could not obtain employment, if they were industrious and willing to labor at moderate wages? In few of our Atlantic cities, into which there is a constant emigration of poor foreigners, and of blacks emancipated in other States, who interfere, at times, with the resident laborers, by overlooking the labor market, there has been, at times, a temporary want of employment.—Reactions from over trading, or overhanging, also, in large cities, occasionally disturb the regularity of employment. But, only leave these great stores upon the body politic, large cities, and go into the interior, where a healthy and well balanced state of anxiety exists,

zons, Andrew Coan, who complied with her wishes. But not content with robbing the poor man of his property, it seems they had forwarded the hellish design of depriving him of his life. Accordingly Sarah Parkinson again applied to Jerry, whom she prevailed upon by repeated solicitations; and a promise that he should "lose nothing by it," to undertake the shocking deed.

After a fortnight's deliberation, on the 16th July, he prepared a hickory club, and about sunset, went from the field in which he was ploughing to the house of Fields, about three quarters of a mile distant. He found Fields sitting near his door, enjoying his evening's repast, greeted him in the most cordial and friendly manner, enquired after his health, and was invited by Mr. Fields to partake of a cup of coffee, which he refused, and inquired in a low voice if any one was in the house. When told there was not, "I am glad to see you, Mr. Fields, I know where your clothes are, and have come to tell you; they are hid in the woods close by, and if you will follow me, I will show them to you, and when we arrive at the spot, will tell you who hid them there." Fields being perfectly friendly with, and having every confidence in this negro, like all others who knew him, believing him perfectly honest, immediately rose from his seat, and without stopping to get his hat, unsuspecting following him to a pile of rails and logs, in a very private spot, at some distance in the woods.—Here the negro stopped, and striking with the stick upon the rails said "you clothes are in here;" and Fields stooped to look under the rails, he struck him with his club across the back of his head, which threw him on his knees; he raised his hands and repeatedly cried for mercy and his life; but his repeated cries were only answered with repeated blows across the head and shoulders, until he sank quivering and speechless upon the ground, and then writhing in the most intense agony, insensibly crawled into a flat about fifteen feet below them, where he left him, as he supposed, drawing his last grasp. About 11 o'clock, however, he revived, and, to the utter astonishment of every one, was enabled—mangled, gushing and bleeding—to find his way a mile off to Mr. Parkinson's, (the brother of the instigators of his misery,) who heard his shrieks, as he fainted and sank down and exhausted, near the edge of his yard. Mr. Parkinson ran to his assistance, conveyed him into his house, administered to his wants, called in medical aid, and sent for the civil authority, to whom Fields deposed as above, stating the particular situation in which he left his table, his hat, and several things about his house, which the officers, upon examination, found correct.

Jerry was immediately taken; he avowed his innocence and ignorance of the crime alledged; stated that he had remained all night at home, and accounted for the blood upon his pantaloons by the bleeding of his nose, but was unable to tell how the spots came upon his back. He was committed to jail, and continued to stow his innocence until brought out and conveyed almost to the place of trial, where he met three or four gentlemen with Field's cloak, which they found in possession of his wife, and other articles found under the floor of his cabin, which confounded him and elicited a full confession of his guilt. On his trial he plead guilty, said Sarah Parkinson, with whom he had been in the habits of trafficking, and her sister, the wife of Fields, alone knew of his intention to murder him; that Sarah, by repeated entreaties, and a promise only, "that he should lose nothing by it," had caused him much against his will, to attempt the murder of one for whom he always, and now had the greatest friendship. He said after he struck the first blow, and Fields begged for life, he would have given the world, could he have recalled it, but it was too late to stop, and he hastened to end his cries, which went like daggers to his heart; that night, he said he slept sleepless, and had ever since endured a most excruciating torment. While the Court retired to arrange the particulars of the sentence, he was led into the room where Fields was confined; they talked over the whole affair with perfect composure, and the negro asked and received his forgiveness. The Court, with a few very pertinent and appropriate pro forma remarks, sentenced him to be hung on the 10th of August, as near the door of Sarah Parkinson as possible. He however evaded the sentence of the Court on the next day, by hanging himself with a silk handkerchief from the grate of the dungeon.

Mr. Fields has now entirely recovered, though many long scars remaining upon his head and shoulders, will go down with him to the grave, as sad mementos of this tragic transaction. Too much cannot be said in commendation of the humane and honorable conduct, both of Mr. Parkinson, at whose house the unfortunate Fields was confined, and those gentlemen who were interested in the slave.—Nor can too much be said in denunciation of the perfidious conduct of the bloody slave, or of those two inhuman monsters in woman's form, who could be so insensible of the ties of patriotism, of common philanthropy, of kindred, and of marriage, to bribe him secretly to murder the brother of the one, the husband of the other; and who, unable

to bear the indignant frowns of an honest community, have fled to Greene county, Tennessee, to seek that peace among strangers which they never could enjoy at home.

RACE FOR A WIFE.

Racing and running of every description have become so common at the present period, that it may well be doubted whether it is possible for any thing now or ever to be brought to light. We do not know, however, that we have heard of or any occurrence of a more physical nature than this. There is to be, a tale of a race between Atlanta and Hippomone, told by some ancient traditionalist, which, he it either truth, as the rusty mythologists of the old world called it, or fable, as the wise men and learned now call it, bears this much resemblance to our present history—both heroes ran for a wife—and a similar cause to that which gained Hippomone a bride, nearly lost one to our hero; the first won by losing his intended golden apple—the last came right losing by sparing with a hawk note.

A few weeks ago, a country gentleman, whom we shall hold nameless, resident in the county of Maury, and state of Tennessee, being under matrimonial engagement to one of the daughters of men, set out one fine morning for Columbia, the chief place in said county, where the clerk of said county had his head quarters, for the purpose of procuring, which had not been the procuring cause of all his troubles, and married to his bride the same evening. Peace, plenty, and happiness were the portion of this happy couple; but it had consumed long ere now, having understood that the gallant lawgivers of our state intended shortly to reduce the marriage fee from seventy five to fifty dollars, and having always an eye to the economical disposition of his funds, he determined to tarry a little until the law should be passed, calculating, and correctly too, that he would be the gainer there, by thirty three and one per cent. on their cost at that time.—Well, in due time, the law was made, and our friend as we mentioned before, set out with a beating heart smiling eye, and a thousand beautiful visions of the blessedness of a married life dancing merrily through his brain, and in good season arrived at the destined place. Here, after some little delay, in trudging through the mud, he struck his license, and a thousand

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FROM THE RALEIGH STAR.

MESSRS. EDITORS: Considerable excitement has been created by the course which the hon. Senator Mangum thought proper to take, at a late anti-nullification meeting in Orange county; and the friends and the enemies of that gentleman have been mutually astonished at the apparent inconsistency of his political conduct. Some of the former sorrowfully perceived, as they thought, a departure from those great principles of liberty which he had avowed and acted upon in his previous life; and the latter gleefully enjoyed the prospect of his "fallen greatness," which they decisively hoped would be the effect of this fatal step. Already had those harpies, who live not by their own merits, but upon the destruction of the sons of honest men, begun to exult and rejoice 'round the funeral pile of Senator Mangum's reputation. But the writer of this believes the despondency of his friends, and the friends of truth and correct principles, will soon give place to the bright conviction, that this man of their hope is "pure gold," and untouched by the alloy of political degeneracy; and the exultation of those moral vampires who cheered and feasted themselves in anticipation of his apparent discrepancy in his political opinions, shall be quickly changed for the mutterings of chagrin and mortification.

The writer has long known Judge Mangum as a public man, and has enjoyed the honor of his personal acquaintance, and, he flatters himself, his confidence also.—He has had frequent, free, and full conversations with him upon all the leading topics of discussion for several years. These conversations have been unreserved and explicit, as to his opinions upon the great constitutional questions which have, and still do agitate our beloved country. He has heard him express his opinions both before and since the Hillsborough meeting; and, although he may be trenching upon the privileges of a friend, he will write a "plain tale," which will put to flight the misgivings of his friends, and the glorious anticipations of his enemies. The writer will give an abstract, brief, indeed, of Judge Mangum's political opinions in relation to the nature and structure of our Government, the rights of the States, and the powers of the Federal Government.—He begs that this brief outline will be received with trust; for he knows that, so far, as it goes, it speaks the sentiments which have been, and still are held by Judge Mangum, and upon which are founded his course of action. Without further remark, the writer will proceed to state the views and opinions held by Judge Mangum, and beseeches the patient attention and frank consideration of the reader, and while he does so, hopes the prolixity and indolence of the manner may be merged in the superiority and vast importance of the matter.

Judge Mangum thinks that the Federal Government is a compact among the States, as such, not as comprising component parts of the great aggregate, but as distinct sovereignties; and that the people of the States, as separate and independent communities, adopted the constitution, the people of each State, acting and deciding for themselves, through the usual and proper State authorities. That the constitution is in no wise the work of the American people as a mass; for, in that case, the central government would be essentially consolidated, and would be capable without any extraordinary forced action of becoming as bad as any in the civilized world. He thinks, as he has on all proper occasions, both public and private, expressly and unequivocally declared, that the action of the Government now strongly tends, and indeed, has far advanced towards that disastrous point which would be speedily attained, were the Government, in fact, consolidated. But he believes the Government to be a compact; that it was formed and adopted by sovereign authorities, acting as such, as powers under Heaven having the shadow of right to free or restrain the adoption of the compact, but the distinct parties or sovereignties, each for itself. It is, he says, in the articles of that compact, that all the restraints upon those sovereign authorities are to be looked for, and all such restraints must be clearly expressed, or be based upon an implication by indispensable necessity. So much for our Senator's opinions upon the structure of the Federal Government. Now for his views with regard to the rights of the States.

He thinks the States, in the compact or grant of powers to the central government, have expressed nothing, nor is there any thing implied by indispensable necessity, restraining their rights of intercession, when the Federal Government shall deliberately, and palpably, and injuriously, trample the powers conferred by the constitution, or shall, in like manner, usurp the powers of the States. He, therefore, thinks, nothing being surrendered by the States on that point, that they, in such cases, may place themselves upon their own prerogative, and that no power may rightfully restrain them. They are, according to his views, the judges, and the sole judges, when and in what manner, provided the manner be not incompatible with rights conferred by the constitution on the other parties to the compact. He believes the present U. S. Government is gradually and indirectly assuming those rights which have never been surrendered, and strongly tends to the worst species of despotism, a despotism of compact and interested majorities over reluctant and oppressed minorities; majorities that are quite as insatiable as the most corrupt court in the west of Europe. He thinks that if the south shall submit to the present tendencies and course of the Government, as a settled, permanent policy, that, not only the interests of the south will be crushed, but that their liberty will be annihilated. As one can see, the writer knows that Jim Mingay would not give his assent to too tame and

dishonorable surrender of that liberty.—He believes the liberty of the south is in the hands of the southern people, and that they may preserve it, if they shall be true to themselves. These are his sentiments in relation to the nature of our Government, the rights of the States, and the present alarming and awful manifestations, on the part of the Federal Government, of a despotic, to usurp power not delegated, to abuse and misuse its trust powers, and, in a word, to erect itself into a splendid consolidation, merging all the rights of the several States into the *superior* sovereignty of the Federal head, and thus subverting the constitution, breaking up the landmarks which define its powers, and, finally, annihilating public liberty.

It now becomes necessary to say something of the judge's views in regard to South Carolina nullification; and, upon this subject, the writer is also able to give a brief, though explicit statement of his opinions entertained and expressed, from first to last, in relation to this doctrine. He objects to nullification, as a remedy, because as an abstraction, it involves contradiction, and, therefore, presents what the logicians would denominate absurdity. He thinks it may not be peaceable—the enforcement of the *penal enactments* of the nullifying State may give occasion to tumultuous risings, and resistance of the minority in the State; as, for instance, in cases of arrest and in executing the sentence of the courts; and the federal army would find many pretenses, on such occasions, to make itself felt in its physical power. He thinks nullification insufficient; and that it will most probably produce a protracted contest before the courts, and involve all the unnumbered difficulties of *conflicting jurisdictions* and powers. In such a contest, he believes the General Government would have greatly the advantage. By protracting the contest, which it may easily do, without essential injury to itself, the citizens of the nullifying State may be most grievously annoyed, in all their interests, comfort, and enjoyments, and would not improbably result in the discomfiture and humiliation of the nullifying State. So much more difficult is it for the patriot to stand upon his, arms, and receive the steady and constantly repeated fire of the enemy, which spreads disaster and death among his friends, than to make as gallant a charge as ever was witnessed by Napoleon or M. rat in the noon of their glory.

But, because Judge Mangum entertains these views of that doctrine, must he fall into the other extreme? I am happy that it is in my power to set his friends as well as his foes right on this subject. He thinks it not only *indelicate*, but *unjust* to do now with want of patriotism the present leaders in South Carolina; *indelicate*, because each State had, originally, and where it has been surrendered, and still has, the undoubted right to interpose, even to the dissolution of the confederacy, as far as regards itself. As nullification proposes to be a middle remedy, it does not, he says, deserve the usual unsparing denunciations with which it is assailed. It cannot affect the Union in the worst event; save only as to the nullifying State. And it is his belief that the leaders in South Carolina have *never* dreamed of *disunion*; and that they scorn at the unjust imputation; and that they are as patriotic as any men who ever lived in the best periods of the republic; and that their cause is the holy cause of constitutionality and well regulated liberty. It is his opinion that every patriot ought to be aroused to a just sense of the oppositions of the central Government; that the South Carolinians see and feel them; and that their only object is to restore the Government to its purity and justice that so strongly distinguished it when it first came from the hands of the venerable sages who formed it. And whether their present struggles for constitutional liberty shall be for us all or for woe, the writer of this is confident in the assertion that Judge Mangum's heart will be with them, and that his hand will *never* be against them.

He believes a common destiny awaits us; and no power under Heaven should compel us to raise a hand in aid of the oppressor, to be imbruted in the blood of our suffering and oppressed brethren of the south. He regards the oppressor, as a COMMON ENEMY, *qua ad hoc*, and will not give him aid and comfort; nor does he believe that many of his countrymen could be induced, when reasoning on the subject, to cherish for a moment such an idea. But there may be exceptions to this assertion; but if Heaven, in its wrath, shall ever permit the disastrous period to arrive, when any of our people shall make such a movement, he believes they will be speedily crushed by the weight of *public opinion*, or the weight of *public vengeance*. With a full concurrence with his southern brethren as to the disease, he differs with them as to the remedy. He has never abused nor denounced them for adopting it; "what's their business;" and he thinks he has no right to object until, by its application, it shall prove injurious to the rights of the people. He does not choose to endorse the remedy; for he thinks it will most probably prove inefficient. If, however, he is mistaken, and it shall work out the result so confidently anticipated by its friends, he will, as doth, with all southern freemen, feel that the country will owe the great man who has revived the doctrine, a larger debt of gratitude than him who conceived it.

But what remedy, it may be asked, would Judge Mangum propose? So full and free has been the expression of his sentiments to the writer, that he is able, at least, to afford the reader some satisfaction on this point also: He has, on several occasions, suggested a remedy, the distinguishing features of which were somewhat like these: That the only efficient remedy to be found in concerted action among the aggrieved States. The work, *hi* to be

done in the State legislatures, and be sanctioned by legislative proceeding. Elect, in due and regular form, from districts to be designated, members to a convention to consult. Candidates will canvass the principles before the people, and the people will sustain the acts of those servants who faithfully represent their opinions and wishes. In this way public opinion will be fairly ascertained and fully embodied. As to the right, there can be no doubt. It may be again asked, when, and where has this high attribute of sovereignty been surrendered? And when, by such concert, aggrieved States shall move by one impulse, the work will have been finished. There need be no fear for the Union; *it will be preserved*. The oppressor, when he finds a spirit that will not submit to his exactions, will adjust the whole subject on grounds that will be satisfactory, and *not until then*. This subject might be pursued, and amply illustrated; but time fails; were it even necessary, Liberty never was long preserved but by the hardy and determined virtues by which it was achieved. It by craven fear, or slavish submissiveness, we loose it, it will not be worth the pains of inquiring whether the present generation are the degenerate and worthless sons of hardy, patriotic and worthy sires. No man doubts but we will all defend the Union—but Liberty *must be preserved*.

The writer, gentlemen, has thus given a brief view of the opinions of Judge Mangum, on various agitating questions. They have been sketched with haste, but are substantially true, as far as they go. He has not only endeavored to preserve the spirit of his remarks on various occasions, but in some cases, doubtless the very expressions will be recognised by those who are familiar with his style of conversation although they lose all the effect which is given to them by the emphatic and peculiar manner of the Judge. The author has often listened with delight to the vivid and brilliant bursts of feeling and eloquence which frequently occur when he refers to existing topics of the day, more particularly the stirring strains of indignation which flows from his lips and flashes from his eye, when he touches the subject of southern suffering, and northern rapacity and oppression. All this will be lost to the reader of this, although the sentiments here detailed are substantially his.

In relation to the charge of inconsistency preferred against Judge Mangum, by a writer in the Raleigh Star, who assumes the cognomen "Albemarle," a tow words will satisfy the author of the charge, as well as every friend of the Judge, that injustice has been come to his character. In the first place, he never did avow himself a nullifier; on the contrary, the writer of this well remembers the emphatic declaration made by him at Granville Court, February 1831, that he viewed nullification as absurd, inasmuch as it involved a contradiction; and even if it were not an absurd doctrine, it was at least an inefficient remedy. Yet did no one then suspect him of hostility to the South. On the contrary, when qualified by his declarations and opinions, as given in this article, his friends were satisfied that he was true to his purpose. Take the very words and declarations alluded to by "Albemarle," and what do they prove? Why, not that Judge Mangum is inconsistent, because they are the same he always expressed publicly and privately. "Albemarle" has not produced a single quotation or expression which goes to the charge that he has ever avowed the doctrine of nullification. His opinions are now the same as express by him on the "Edenton Circuit"—the same as held by him at Raleigh during the winter of 1830. They are the same as avowed, and only too, on the floor of Congress; and the writer of this defies "Albemarle" or any other friend or foe to fix the charge of inconsistency on the honorable Senator. Most true, the declarations made by him in the Hillsborough meeting are calculated to lead his friends into error; but it should be remembered that the question at that meeting, was the simple doctrine of nullification, unaccompanied by any of those subjects which are so intimately connected with the correct understanding of that doctrine. And the writer is informed, and no doubt of the fact, that the chairman of that meeting, (a thorough-going tariff man,) restrained the subject of debate to the naked question of nullification, in consequence of which he was deprived of the power of explaining, and defending his views and opinions, as they have been freely done on all other occasions.

Had Judge Mangum been permitted to occupy the whole round on that occasion, no friend of his would have sounded a note of dissatisfaction. But he was regarded as an interloper, in that assemblage, and his efforts to bring the merits of the question fairly up, created a degree of excitement not often witnessed at such assemblages of the people. The tariff men became alarmed for success of their scheme, and every exertion was made to arrest him in his design to bring about an open and fair discussion of the whole matter. The discussion which took place ought to satisfy every State Rights man as to the character and design of the meeting. Had it been a pernicious meeting, there would not have appeared an equal number of tariff advocates at any collection of the people in Orange. The notice was a deceptive one. It called upon all the foes of nullification and disunion to assemble, and the design was to gull the anti-tariffites into the expression of an opinion which would be taken by our northern oppressors to be not a direct approval, of at least an acquiescence in the imposition of a protective tariff. This opinion is confirmed by the fact, that the official account of the meeting omits altogether the resolution offered by Senator Mangum, reprobating the tariff, and the vote taken upon it. And this the strong suspicion that the principal object of the meeting was to rebound to

the injury of this same W. P. Mangum, and I assure the candor of Albemarle will command him to acknowledge the injustice done to our Senator by the charge of inconsistency. It is understood that the adjourned meeting was not held on the 9th of October, for reasons perfectly satisfactory to those concerned, and therefore, the tariff men cannot draw any favorable conclusion from the circumstance that it was not held.

The allusion made by "Albemarle" to the circulation of certain pamphlets under the franking privilege, cannot possibly prove Mr. Mangum inconsistent. That pamphlet contained a body of information, which every man ought to be in possession of. It contains the Virginia resolutions of '98, Mr. Madison's report of '90, the Kentucky resolutions, framed by Mr. Jefferson, and the answers of the other States, together with Mr. Calhoun's expose, and other documents of interest. Could there possibly be any objection to circulating these documents, which embodied, as it were, the very creed of faith of the republicans of '98, which contained the wisdom of Jefferson and Madison, and which contained the original draft of those very doctrines which were triumphant in the downfall of federalism, the election of Jefferson, and which effected the civil revolution of that period? If that was nullification, then are we all nullifiers!! But it was for the valuable information those pamphlets contained, in relation to the formation of our government, that Mr. Mangum circulated them, and not to disseminate nullification, as about to be practised in S. Carolina. Had not the writer already transcended the limits of a moderate essay, he would demonstrate the correctness of Judge Mangum's opinions, by the standard of reason and the Constitution—entirely would he show the truth of the assertion that our government is daily tending to a consolidated despotism, which may be easily done by simply reciting and analysing the acts of the central power for a number of years past; but he will defer it, with the promise, that should occasion call for it, he may again be induced to allude to the subject.

I will now conclude by requesting the friends of the south and of State Rights, not to listen to the cranks of tariff men, to the prejudice of the able representative of the sovereignty of North Carolina in the Federal Government. They are opposed to him, and are determined, if they can, to prostrate him. Many of the old federalists and monied aristocrats have clabb'd their forces, and will leave no stone unturned to bring him to their level in the affections of the people whom he faithfully endeavours to serve, and who, we trust and believe, now appreciate him correctly. **SOUTH.**

Oxford, Oct. 20, 1832.

FROM THE BANNER OF THE CONSTITUTION.

THE CRISIS.—It being now settled, beyond the possibility of doubt, that, prior to the next meeting of Congress, the people of South Carolina, assembled in Convention, will declare the *Protective Tariff Laws*, null and void, and of no force within the limits of that State, it behoves the People of the Northern States to do what they have not heretofore done, reflect upon the posture in which they have placed the country, by their refusal, at the last session of Congress, to listen to the reasonable and just demands of that portion of the people of that State, it behoves the People of the Northern States to do what they have not heretofore done, reflect upon the posture in which they have placed the country, by their refusal, at the last session of Congress, to listen to the reasonable and just demands of that portion of the people of that State, it behoves the People of the Northern States to do what they have not heretofore done, reflect upon the posture in which they have placed the 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FRIENDS, OF THE UNION.

Whence are the real friends of the Union? Those who wish to restrain the Federal Government, within the limits laid down by the Constitution, or those who contend, that the federal Government, can do as it pleases, and the people must submit? There are two ways to destroy the Union—1st. The Union may be destroyed by the withdrawal of some of the States from the confederacy. This will certainly not be done so long as the Federal Government, keeps within its due bounds, for while it does so, it will be the interest of every State to cling to the Union. 2nd. The other way, to destroy the Union, is for the Federal Government to disregard the Constitution, and assume powers not granted to it by the Constitution. What makes the Union? The Constitution? If then, the Constitution is set aside, is not the Union set aside? The Union is more in danger from Congress, than from any other quarter. The Federal Government, is constantly trying to enlarge its powers, and to do things, never contemplated by the framers of the Constitution.

The Constitution gives Congress power to lay taxes to pay the public debt, and support Government; but it gives Congress no power to take money out of the pockets of the Farmers, in order to give it to the manufacturers;—Yet Congress, is doing this very thing, and there are some among us who contend that Congress has a right to do it.

Let any plain man—possessing good common sense, take up the Constitution, and read it over and over again, and see if he can find a line that gives Congress the power to tax one class of people to enrich another. No, he will find none such,—but the Tariff men can work it out,—they can contrive it, so as to give the power. Yet, they are very ingenious men,—we hope they are not quite ingenious enough to make the people believe their sophistry. Whenever the people admit that Congress can pass what laws it pleases, then good bye to American freedom.

The election for electors for President and Vice-President, are all over now with the exception of those that are chosen by the State legislatures. The result, is not accurately ascertained, but enough is known, to make us say with confidence Genl. Jackson is elected. With regard to the Vice-Presidency, there is more doubt, but we shall soon know.

Withdrawal, of Judge BARBOUR.

Never did any person more effectually destroy his own prospects, than Jesus Barnard. His letter, was intended only as a withdrawal of his ticket in Virginia, but it was so badly timed, and came out in so awkward a manner as to make the impression, that it was a total withdrawal,—and it was so received, and acted on in many parts of North Carolina. The consequence was, that his name in most places was dropped, and the other ticket run, that much against the feelings of the great mass of Republican Voters. Thus it happened, that in many counties, Van Buren received all, or nearly all of the votes, where, under different circumstances, he would have received very few.—He has won the race in North Carolina by the holding of our house, and still we see the chuckling among the TARRISTS, on the occasion.

Jes. Barnard may hereafter rise as a Judge; he is now, an associate Judge,—he may rise to the Bench of the Supreme Court if a vacancy should soon take place, but as a Starkidax, we suspect his course is run;—peace be to his bones.

PENNSYLVANIA.

There now remains no manner of doubt as to the result of the election in the Democratic State of Pennsylvania; Jackson's majority will be very near, or quite 50,000 votes; the election will be saved from the House of Representatives, where we wish never again to let it go.

NEW YORK.

The dreams of the Clay-men, with respect to New York, will soon vanish into thin air. The present prospects show that New York, will go for Jackson. As yet, we have not received returns enough to make it certain, but so far as they have come to hand, they are decidedly favourable. We have no doubt about New York.

OHIO.

Enough has been heard from Ohio, to leave no doubt about the vote of that State. She will go for Jackson by a much larger majority than in 1828.

LEXINGTON.

Our SENATOR—JUDGE MANGUM.

In common with many of our Republican friends in this part of the State, we were not a little surprised at the part Senator Mangum was reported to have taken, in the Hillsboro' Tariff, and anti-slavery meeting. Really, we knew not what to make of it, and therefore took no notice of it. We had read his speech, delivered in the Senate with pleasure, and pride—we were rejoiced to see that North Carolina had a man, in that body, who felt as a patriot, and spoke as a free man. What was our surprise to see him attending a sort of select meeting of "black-cockade federalists,"—avowed friends of the Tariff, and of Clay, and there unite, as it did seem, with them, to aim a blow at bleeding liberty through the sides of our sister State South Carolina? We thought it strange, and still hoped that there was something kept back in the report of that meeting, which would save Judge Mangum's character for consistency, and a ill hold him in the estimation of the Republicans of the State. We were not deceived. Judge Mangum has felt that his character was suffering, and he has very properly allowed, a friend of his, to come out, and in a public communication, to state, what his sentiments truly are, on the subject of state rights. We are glad to see this, and have no doubt his political sentiments, will in the main, meet the approval of all true Republicans of the Jeffersonian school, at least. We must however candidly say, we cannot exactly see the consistency in one respect, between his principle, and one of his letters. He expressly admits the right of state interposition, and yet seems not to approve of what Mr. Jefferson thought the "rightful remedy" which is in fact, state interposition. Again, it strikes us, that the plan of dredges, that he proposes, is not essentially different from the one he was reported to have denounced in the Hillsboro' meeting. We confess, we should like to see these apparent, we hope not real inconsistencies, explained. Let it not be supposed from this, that we are reflecting censure on Judge Mangum! far from it. We like the stand he has assumed in Congress,—we approve of his course, and we have no fear that he will ever back out from it. Whether his principles, nor his spirit, will permit him.

The communication to which we allude will be found in another part of our paper over the signature of ours.

They commenced the work of dissection with right good will; but on skinning the bear they found scarcely any meat on his bones; in fact, the animal had been famished, and in a fit of hungry desperation made one of the boldest and most successful attempts at kidnapping ever heard in the legends of animal courage.

FC. Ad. 1832.

PLAT JUSTITIA RUAT CORIUM.

SELLSBURG,

NOV. 19, 1832.

Before this paper reaches its destination the Editor will be in Raleigh. If he should, by any means, lose his seat in the legislature, he will be home soon to resume his labors; if he should remain, he will not be home in six or seven weeks. During his absence, the paper will be left in the hands of those, who are, in every respect, well qualified for the duties of the editor.

The election for electors for President and Vice-President, are all over now with the exception of those that are chosen by the State legislatures. The result, is not accurately ascertained, but enough is known, to make us say with confidence Genl. Jackson is elected. With regard to the Vice-Presidency, there is more doubt, but we shall soon know.

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